

**BULLETIN**  
**CHILD NUTRITION PROGRAMS**

**NSLP 24-08**

**October 20, 2008**

**SUBJECT: Reaffirmation of Policy on Limited Disclosure of Children's Eligibility Information to the National Assessment of Educational Progress**

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Administrators of the National Assessment of Educational Progress (NAEP) have asked school food authorities to be reminded that the disclosure of children's names and eligibility information to persons *directly* connected with the administration or enforcement of a federal or state education program is permitted and does not require parental/guardian consent.

Persons "directly connected" include federal, state and local program operators responsible for NAEP program administration or program compliance and their contractors. This does not imply that these persons have routine access to eligibility status information. There must be a "need to know" for legitimate NAEP purposes. Other state education programs are also eligible to have access to participants' names and eligibility information, without parental/guardian consent, but the program must be established at the state, not local, level.

School food authorities should inform households if they plan to disclose or use eligibility information outside the child nutrition programs. It is also recommended that the school food authority enter into a written agreement with NAEP officials. This agreement should identify the name of the entity receiving the information and describe how the information will be disclosed, used, and protected from unauthorized use, including the penalties for unauthorized disclosure. This agreement should be signed by both the school food authority and NAEP officials. For further details, refer to the 2008 update of the *Eligibility Manual for School Meals* (Part 7, E).

The decision to disclose eligibility information to NAEP operators or other state education programs is a local decision. While school food authorities are permitted to disclose this information to NAEP operators, they are not required to do so.